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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: \_\_\_\_\_

Date: December 1, 2003

MAIL STOP AF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**

In Re Patent Application of:  
PETER WATTS

DEC 1 3 2003

Conf. No.: 9982

: Group Art Unit: 1644

TECH CENTER 1600/2900

Appln. No.: 09/848,600

: Examiner: Phillip Gabel

Filing Date: May 3, 2001

: Attorney Docket No.: 10774-23U1

(WESZ/P14288U1)(P-039)

Title: Drug Delivery Composition

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE**  
**BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision mailed July 30, 2003 (Paper No. 14) of the Primary Examiner finally rejecting claims 13-19. This Notice is timely filed on December 1, 2003, in view of the Petition for a two month extension of time for response, extending the time up and including December 1, 2003 (as November 30, 2003 was a Sunday.)

12/08/2003 SZEWDIE1 00000113 09848600

The items checked below are appropriate: 02 FC:1401

330.00 OP

- A Petition for Extension of Time with extension fee.
- A Petition for Extension of Time for two months to file the Notice of Appeal and the requisite extension fee in the amount of \$420 are enclosed.
- Notice of Appeal fee is enclosed (if applicable)
  - \$165.00 - Small Entity has been previously established in this case.
  - \$330.00.
  - Not required (fee paid in prior appeal).
- An oral hearing before the Board of Appeals is respectfully requested. Requisite fee is

enclosed.

- \$145.00 – Small Entity has been previously established in this case.  
 \$290.00.  
 Our firm's check in the amount of \$ 330.00 is enclosed.  
 The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (**Billing No. 10774-0024**) for any overpayments or deficiencies in the above-calculated fee. A duplicate copy of this notice is enclosed.

Respectfully submitted,

December 1, 2003

(Date)

By:

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